

IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 8267 of 1994

For Approval and Signature:

HON'BLE MR.JUSTICE R.K.ABICHANDANI

- =====
1. Whether Reporters of Local Papers may be allowed : NO
to see the judgements?
 2. To be referred to the Reporter or not? : NO
 3. Whether Their Lordships wish to see the fair copy : NO
of the judgement?
 4. Whether this case involves a substantial question : NO
of law as to the interpretation of the Constitution
of India, 1950 of any Order made thereunder?
 5. Whether it is to be circulated to the concerned : NO
Magistrate/Magistrates, Judge/Judges, Tribunal/Tribunals?

NANDISHWAR TRANSPORT SERVICE

Versus

GUJARAT STATE CIVIL SUPPLIES CORP. LTD.

Appearance:

1. Special Civil Application No. 8267 of 1994
MR NALIN K THAKKER for Petitioner
MR KM PATEL for Respondent No. 1-2
MR SAURIN A SHAH for Respondent No. 3-4
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CORAM : HON'BLE MR.JUSTICE R.K.ABICHANDANI

Date of decision: 27/08/2004

ORAL JUDGEMENT

1. The learned counsel for the respondents No.1 & 2
points out that the petition has become infructuous,

because, a direction was sought to cancel carting contract for the year 1994-95 which was given to the respondent No.4 and to give the contract for that year to the petitioner according to the negotiations which were held on 7th May 1994; and, since the interim relief was refused on 23-12-1994, the contract which was granted had already operated during the year concerned.

2. It is clear from the record that when rule was issued on 23-12-1994 on this petition, interim relief was refused. Therefore, the contract had operated in favour of the respondent No.4 for the relevant year 1994-95 and there would now be no scope for cancelling that contract and giving it to the petitioner according to the negotiations held on 7th May 1994, as prayed for in paragraph 18(A) of the petition. The petition has, therefore, obviously become infructuous and is rejected on that ground. Rule is discharged with no order as to costs.

[R.K.ABICHANDANI, J.]

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